

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

CHARLES FRANKLIN,)
vs. Petitioner,) 2:12-cv-240-JMS-WGH
CHARLES LOCKETT (Warden),)
Respondent.)

Entry Directing Further Proceedings

I.

The petitioner shall have **through September 12, 2012**, in which to show cause why his petition for a writ of habeas corpus should not be summarily denied in light of the habeas claim presented in *Franklin v. Warden*, No. 2:08-cv-435-RLY-WGH (S.D.Ind. Feb. 16, 2012).

The petitioner shall have **through September 12, 2012**, in which to show cause why his petition for writ of habeas corpus should not be summarily denied because 28 U.S.C. § 2241 to challenge his sentence in the district of his confinement. *Unthank v. Jett*, 549 F.3d 534, 536 (7th Cir. 2008).

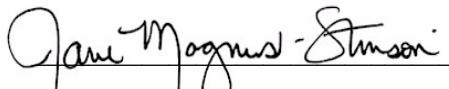
A writ of habeas corpus via § 2241 may be utilized by a federal prisoner to challenge the legality of his or her conviction or sentence in those cases where § 2255 is “inadequate or ineffective to test the legality of [the] detention.” 28 U.S.C. § 2255(e). The petitioner shall have **through September 12, 2012**, in which to show cause why this action can proceed under 28 U.S.C. § 2241(c)(3).

II.

The clerk shall note No. 2:08-cv-435-RLY-WGH to be a related case.

IT IS SO ORDERED.

Date: 08/24/2012



Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

**Charles Franklin
24499-044
Terre Haute - FCI
P.O. Box 33
Terre Haute, IN 47808**

gerald.coraz@usdoj.gov